

REMARKS

In the Notice of Allowance having a notification date of December 23, 2009, claims 1-15 were allowed. Applicants hereby acknowledge the Examiner's Statement of Reasons for Allowance.

However, prior to paying the Issue Fee, Applicants request that the following remarks be made of record in the instant application after allowance to provide clarification.

Paragraph 1. of the Examiner's Statement of Reasons for Allowance indicates "Claims 1-15 are pending."

Paragraph 2. of the Examiner's Statement of Reasons for Allowance indicates "In view of the appeal filed on 7/8/2009, PROSECUTION IS HEREBY REOPENED." and "To avoid abandonment of the application, appellant must exercise one of the following two options: ..." ; and

Paragraph 3. of the Examiner's Statement of Reasons for Allowance indicates "Allowable Subject Matter" with a "statement of reasons for the indication of allowable subject matter ...".

Attorney for the Applicant, Chris Ries, telephoned Examiner Leiby on March 22, 2010 to discuss an inconsistency presented via paragraph 2 and the terms for replying to the notice of allowance. The Examiner (i) confirmed that the USPTO has allowed all 15 claims and (ii) indicated that the language below the "PROSECUTION IS HEREBY REOPENED" in paragraph 2 is just a form paragraph used when the appeal is sent back down to the Examiner and was added in the Notice of Allowance without the Examiner realizing it. Pursuant to Chris Ries' telephone conference with Examiner Leiby, all that is necessary in response to the Notice of Allowance [*to avoid abandonment*] is the payment of the fee(s) due by the due date.

This clarification is directed to a matter of form and does not affect the scope of the allowed claims. As such, Applicants earnestly request entrance of this response prior to payment of the Issue Fee. Applicants thank the Examiner for the time and effort spent on this application.

Respectfully submitted,

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